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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Stephanie N. Everett

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Write the full name of each plaintiff.

21 CV 07043-JPC

(Include case number if one has been assigned)

-against-

New York City Department of Education; Katina Yesnick,

Assistant Principal of P.S./M.S. 31; Angela Liso, teacher

at P.S./M.S. 31; and Reinaldo Díaz-Lens, Principal of P.S. 63

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. The names listed above must be identical to those contained in Section I.

SECOND AMENDED  
EMPLOYMENT DISCRIMINATION COMPLAINT

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

## I. PARTIES

### A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Stephanie	N.	Everett
First Name	Middle Initial	Last Name
1113 East 215th Street		
Street Address		
Bronx, Bronx	NY	10469
County, City	State	Zip Code
(347) 803-0903	stef850@gmail.com	
Telephone Number	Email Address (if available)	

### B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. (Proper defendants under employment discrimination statutes are usually employers, labor organizations, or employment agencies.) Attach additional pages if needed.

Defendant 1:	New York City Department of Education		
	Name		
	c/o Corporation Counsel for the City of New York - 100 Church Street		
	Address where defendant may be served		
	New York, New York	NY	10007
	County, City	State	Zip Code
Defendant 2:	Katina Yesnick, Assistant Principal P.S./M.S. 31		
	Name		
	250 East 156th Street		
	Address where defendant may be served		
	Bronx, Bronx	NY	10451
	County, City	State	Zip Code

Defendant 3:

Angela Liso, teacher

Name

250 East 156th Street

Address where defendant may be served

Bronx, Bronx

NY

10451

County, City

State

Zip Code

## II. PLACE OF EMPLOYMENT

The address at which I was employed or sought employment by the defendant(s) is:  
P.S./M.S. 31 and P.S. 63

Name

250 East 156th Street / 1260 Franklin Avenue

Address

Bronx, Bronx

NY

10451/10456

County, City

State

Zip Code

## III. CAUSE OF ACTION

### A. Federal Claims

This employment discrimination lawsuit is brought under (check only the options below that apply in your case):

- ☒ **Title VII of the Civil Rights Act of 1964**, 42 U.S.C. §§ 2000e to 2000e-17, for employment discrimination on the basis of race, color, religion, sex, or national origin

The defendant discriminated against me because of my (check only those that apply and explain):

- ☒ race: African American
- ☐ color: \_\_\_\_\_
- ☐ religion: \_\_\_\_\_
- ☐ sex: \_\_\_\_\_
- ☐ national origin: \_\_\_\_\_

## I. PARTIES - Continued

### B. Defendant Information - Continued

Defendant 4: **Reinaldo Diaz-Lens, Principal of P.S. 63**

Name

**1260 Franklin Avenue**

Address where defendant may be served

**Bronx, Bronx**

County, City

**NY**

State

**10456**

Zip Code

- ☐ **42 U.S.C. § 1981**, for intentional employment discrimination on the basis of race

My race is: \_\_\_\_\_

- ☐ **Age Discrimination in Employment Act of 1967**, 29 U.S.C. §§ 621 to 634, for employment discrimination on the basis of age (40 or older)

I was born in the year: \_\_\_\_\_

- ☐ **Rehabilitation Act of 1973**, 29 U.S.C. §§ 701 to 796, for employment discrimination on the basis of a disability by an employer that constitutes a program or activity receiving federal financial assistance

My disability or perceived disability is: \_\_\_\_\_

- ☐ **Americans with Disabilities Act of 1990**, 42 U.S.C. §§ 12101 to 12213, for employment discrimination on the basis of a disability

My disability or perceived disability is: \_\_\_\_\_

- ☐ **Family and Medical Leave Act of 1993**, 29 U.S.C. §§ 2601 to 2654, for employment discrimination on the basis of leave for qualified medical or family reasons

## **B. Other Claims**

In addition to my federal claims listed above, I assert claims under:

- ☒ **New York State Human Rights Law**, N.Y. Exec. Law §§ 290 to 297, for employment discrimination on the basis of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status
- ☒ **New York City Human Rights Law**, N.Y. City Admin. Code §§ 8-101 to 131, for employment discrimination on the basis of actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status
- ☐ Other (may include other relevant federal, state, city, or county law):

\_\_\_\_\_

#### IV. STATEMENT OF CLAIM

##### A. Adverse Employment Action

The defendant or defendants in this case took the following adverse employment actions against me (check only those that apply):

- ☐ did not hire me
- ☒ terminated my employment
- ☐ did not promote me
- ☐ did not accommodate my disability
- ☐ provided me with terms and conditions of employment different from those of similar employees
- ☒ retaliated against me
- ☒ harassed me or created a hostile work environment
- ☒ other (specify): gave me unwarranted disciplinary letter, excessed me from PS 31

##### B. Facts

State here the facts that support your claim. Attach additional pages if needed. You should explain what actions defendants took (or failed to take) *because of* your protected characteristic, such as your race, disability, age, or religion. Include times and locations, if possible. State whether defendants are continuing to commit these acts against you.

Please see the attached addendum.

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As additional support for your claim, you may attach any charge of discrimination that you filed with the U.S. Equal Employment Opportunity Commission, the New York State Division of Human Rights, the New York City Commission on Human Rights, or any other government agency.

## V. ADMINISTRATIVE PROCEDURES

For most claims under the federal employment discrimination statutes, before filing a lawsuit, you must first file a charge with the U.S. Equal Employment Opportunity Commission (EEOC) and receive a Notice of Right to Sue.

Did you file a charge of discrimination against the defendant(s) with the EEOC or any other government agency?

☒ Yes (Please attach a copy of the charge to this complaint.)

When did you file your charge? January 6, 2021

☐ No

Have you received a Notice of Right to Sue from the EEOC?

☒ Yes (Please attach a copy of the Notice of Right to Sue.)

What is the date on the Notice? July 28, 2021

When did you receive the Notice? August 3, 2021

☐ No

## VI. RELIEF

The relief I want the court to order is (check only those that apply):

☐ direct the defendant to hire me

☐ direct the defendant to re-employ me

☐ direct the defendant to promote me

☐ direct the defendant to reasonably accommodate my religion

☐ direct the defendant to reasonably accommodate my disability

☒ direct the defendant to (specify) (if you believe you are entitled to money damages, explain that here)

remove disciplinary letter and poor observations from my file; have the termination letter

removed from the NYCDOE system and my file and be placed in excess so I can be able

to find other teaching positions, emotional distress damages and legal consultation fees

## VII. PLAINTIFF'S CERTIFICATION

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

<u>8-30-2022</u>		<u>Stephanie Everett</u>	
Dated		Plaintiff's Signature	
<u>Stephanie</u>	<u>N.</u>	<u>Everett</u>	
First Name	Middle Initial	Last Name	
<u>1113 East 215th Street</u>			
Street Address			
<u>Bronx, Bronx</u>	<u>NY</u>	<u>10469</u>	
County, City	State	Zip Code	
<u>(347) 803-0903</u>	<u>stef850@gmail.com</u>		
Telephone Number	Email Address (if available)		

I have read the attached Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☒ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.

## **Addendum for Second Amended Federal Complaint for Stephanie Everett @ 8/30/2022**

1. I have been teaching as an elementary school teacher for the New York City Department of Education (NYCDOE) since September 2017.
2. I am of black race.
3. I was employed as a first grade teacher for P.S./M.S. 31, a Community School District 7 school in the Bronx, NY within the NYCDOE, from September 2017 to August 2020. I was excessed from P.S/M.S. 31 in the summer of 2020 and found a kindergarten teacher position at P.S. 63 in the Bronx, NY.
4. I was hired at P.S./M.S. 31 by Assistant Principal Deidra Thomas. AP Thomas is African American. During her time at P.S./M.S. 31, AP Thomas provided me with assistance when needed. AP Thomas left P.S./M.S. 31 after the 2018-2019 school year to accept a position as a Principal at another school.
5. Katina Yesnick is the Assistant Principal of the elementary for P.S./M.S. 31. She is White/Caucasian. Angela Liso is a first grade teacher at P.S./M.S. 31, and she is also White/Caucasian. AP Yesnick and Ms. Liso are close friends.
6. During that time I was a teacher at P.S./M.S. 31, I received Effective overall ratings based on Advance Reports in 2017-2018 and 2018-2019. I was also the two-time recipient of the Teachers of Tomorrow award for the 2017-2018 and 2018-2019 school years.
7. I began having issues with Ms. Liso in January 2018; specifically, Ms. Liso began openly discriminating against me. On January 19, 2018, Ms. Liso made a comment about how I spoke, by stating, "you talk different.". Then on January 22, 2018, Ms. Liso continued to make fun of my speech when she repeated a statement I said by dragging her words, stating: "I don't understaaaaaaand, you're funny Everett, I don't understaaaaaaand", laughing as she was doing it.
8. On February 12, 2018, Ms. Liso also made comments to other White teachers about the way Ms. Purvis, a black literacy coach at the school spoke, saying things like, "Ms. Purvis, I think she's slow, yeah she's definitely slow, and she talks funny, ok guuuuuuuys, ok everyoooooone. I don't know how she even got this job."
9. Additionally, Ms. Liso had made a recording of me and posted it on SnapChat without my permission or knowledge to humiliate me. Ms. Liso has made racist comments to me asking me about "what my hair really looks like."
10. AP Yesnick then began joining Ms. Liso in her discriminatory behavior against me and the black literacy coach at the school while showing favoritism to the white teachers at the school.
11. During the 2019-2020 school year, I received negative ratings from AP Yesnick, including a rating of ineffective on some of my scores, even though I have never received an

ineffective as a rating during the previous years I worked at the school. I did not receive a final rating that year due to the pandemic.

12. On March 13, 2019, at 8:05 a.m., at a math workshop held at the P.S 179 school in the Bronx, AP Yesnick and Ms. Liso walked into the PS 179 library where the workshop was being held. By this time, I was already at the workshop. During this time, AP Yesnick and Ms. Liso sat next to each other, completely ignoring my presence as they talked to each other.
13. On March 13, 2019, AP Yesnick and Ms. Liso continued to demonstrate discrimination against women of color after the workshop ended. This occurred when Ms. Liso falsely claimed that the kindergarten-2nd grade literacy coach Ms. Sakena Purvis (who is also Black) “was useless and doesn’t know what she is doing” to Ms. Jennifer Kneeland, a white literacy coach who works at P.S. 179. Ms. Liso made the derogatory statement despite Ms. Liso never planning lessons with Ms. Purvis, even though Ms. Purvis would mention to the teachers the times she was available to set up lesson planning sessions. AP Yesnick and Ms. Liso told Ms. Kneeland that they wanted her to be their school’s literacy coach, and would try to get her in for this position. Ms. Jennifer Kneeland is also Caucasian like Ms. Liso and Ms. Yesnick. Ms. Kneeland previously worked as a teacher for P.S. 31.
14. AP Yesnick and Ms. Liso disregarded Ms. Purvis, an African American literacy coach, but always showed respect to Jane Nickelsberg, the elementary math coach, with Ms. Liso even saying the following statement about Ms. Nickelsberg “she’s so helpful,” on March 15, 2019 to a group of teachers. Jane Nickelsberg is White. This occurred even though she was rarely at the school and failed to complete her job related tasks including helping with lesson plans, despite the fact that this was one of her roles as a math coach.
15. Similar to AP Yesnick and Ms. Liso, Ms. Hanauer, a special education teacher who worked in the school, also discriminated against Ms. Purvis, who I previously mentioned is Black. Besides saying “Ms. Purvis does not know what she is doing,” she also walked out of the classroom when Ms. Purvis was modeling a literacy lesson to help improve teaching practices. Ms. Hanauer, who is a woman of White Orthodox Jewish descent, and a friend of Angela Liso’s never showed this disrespectful behavior towards Jane Nickelsberg, who I previously mentioned is White and was the elementary school math coach.
16. On December 3, 2019, I met with AP Yesnick to discuss my first informal observation which was conducted on November 22, 2019. At this December 3, 2019 meeting, AP Yesnick disregarded my expertise as an educator and told me “maybe teaching is not for you, you’re lucky you have someone, poor Ms. Liso has no one, she feels overwhelmed, she had the high class last year but this year she has the ELLs (English Language Learners),” when I complained about needing assistance with students with severe emotional needs. I had a student in the class that was prone to trying to stab other students, others that would fistfight, and others that were just not receiving the services that they needed.

17. I complained to AP Yesnick in January 2020, twice in February 2020 and again in March 2020, about needing additional assistance in the classroom for my students. Specifically,
- a. On January 6, 2020 – I advised AP Yesnick about two of my students getting into a fist fight.
  - b. On February 13, 2020, I advised AP Yesnick of two of my students getting into a fist fight.
  - c. On February 24, 2020, I advised AP Yesnick about two of my students getting into a fist fight and then one of them ran out of the classroom.
  - d. On March 6, 2020, I advised AP Yesnick about one of my students almost stabbing another student before curling himself into a ball, screaming and making scratches against his face.

In March 2020, AP Yesnick responded that it was not her problem and I should complain to the Principal.

18. In March 2020, after asking for assistance from AP Yesnick and not receiving any, I almost had a nervous breakdown. At that point, I went to Principal Hewlett crying and he advised me to seek counseling. The UFT's Member Assistance Program (MAP) attempted to get me a referral for counseling but they were unsuccessful due to the COVID-19 pandemic.
19. On June 1, 2020, I learned that AP Yesnick had deliberately excluded me from a grade-based meeting in late May 2020, and discussed the thematic unit "using your imagination," with all the other first grade teachers. I should have been notified of the meeting, especially since I am part of the first grade team.
20. During the June 1, 2020 meeting, AP Yesnick also failed to acknowledge my presence at an important school literacy event called "sip and chat," and instead stated that Madeline Bodnar, the special education teacher for a second grade classroom did a great job planning the event. All of the preparations and planning for the sip and chat session were done by the school literacy coach Ms. Purvis, who is a black woman.
21. After being excessed from P.S/M.S. 31 in the summer of 2020, I was interviewed by Assistant Principal Eunice Lindenberg and Ms. Phyllis Berkofsky, 3K and UPK supervisor, and was hired to teach kindergarten at P.S. 63, a District 9 school in the Bronx, N.Y during the 2020-2021 and 2021-2022 school years. AP Lindenberg is Dominican. Principal Reinaldo Diaz-Lens is the principal of P.S. 63 and is of Latin descent. The first time I met Principal Diaz-Lens face to face was on September 8, 2020. This was the first time that he saw what I looked like.
22. On January 6, 2021, I filed an SDHR complaint against the New York City Department of Education (NYCDOE). The NYCDOE submitted a response to my complaint on or about March 18, 2021.

23. At the end of the 2020-2021 school year, while I was a teacher at P.S. 63, Principal Diaz-Lens told me that my probationary period was being extended due to my rating at P.S./M.S. 31 in the 2019-2020 school year. The rating was as a result of the unwarranted ineffective scores I received at P.S./M.S. 31 from AP Yesnick. I received an Effective annual rating for the 2020-2021 school year.
24. On August 3, 2021, I received a right to sue letter from the U.S. Equal Employment Opportunity Commission (EEOC), granting my request to close my SDHR complaint for administrative convenience and instead proceed to file a complaint in the Federal District Court.
25. On August 19, 2021, I filed my complaint in the Southern District of New York for racial discrimination, retaliation and hostile work environment claims against the New York City Department of Education.
26. During the 2021-2022 school year, I unfortunately discovered that racial discrimination against Black women also happens in this school as well. As a matter of fact, certain moments that occurred at this school, which was in district 9, were similar to the experiences I had when I was a teacher at P.S. 31, which was in District 7.
27. The 2021-2022 school year was my second year at P.S. 63. It was also my first time experiencing a daily in-person instructional model with my students. This was because previously, for the 2020-2021 school year it was a blended learning format, due to the Covid 19 pandemic.
28. The blended instructional model consisted of two components, one consisted of some teachers from the school working from home teaching their lessons to students online. The second component, which is what I was in, consisted of children from my class coming to school by groups, Groups A, B, and C. They would come to school only on the days where their group had in person instruction, then the other days the children would do online learning at home from the lessons I posted, while I worked with the other in person students in the school building.
29. The following details show incidences of racial discrimination against myself and other Black teachers at P.S. 63 by Principal Diaz-Lens and Julie Stengel, one of the White/Caucasian teachers who works at the school.
30. On September 13, 2022 at 7:40 a.m. I entered the entrance of the school building to get ready for the school day. I said good morning to both the security guard and Principal Diaz-Lens who was speaking Spanish to the security guard at the time. Principal Diaz-Lens not only did not say "good morning," but instead continued talking to the security guard as if I was not there. However, as I was coming up the stairs to sign in at the main office, I saw him saying good morning to Ms. Stengel, who I previously mentioned is white, and ask her how she was doing. He even stopped his conversation with the security guard to ask Ms. Stengel about her family.

31. On November 8, 2022 at 9:45 a.m. Principal Diaz-Lens came with Ms. Osei, one of the school literacy coaches to observe me in an interactive read aloud lesson for the EL Education curriculum. Ms. Osei said positive and encouraging comments about my lesson after the school day was over. However, Principal Diaz-Lens did not say anything about my teaching, but proceeded to roll his eyes when he saw me in the schoolyard during dismissal. He then approached Ms. Ferrell, a White/Caucasian teacher, who was standing right next to me with her class, and said, "Ms. Ferrell, you are such a great teacher, your literacy lesson was so good, I loved it." I did not receive similar feedback.
32. On January 4, 2022 at 11:37 a.m. as I was picking up my children from lunch in the auditorium, one of the school aides, who is also an African American woman told me "Diaz-Lens really treats this place like a plantation, and caters to the white teachers of this school. He's been doing this for years."
33. On January 5, 2022, at 11:38 a.m. the principal asked one of my kindergarten students, C.L., if he wanted another person to be his kindergarten teacher, instead of me as he was tying his shoes in the main office. He specifically asked my student, "don't you wish you had Ms. Mercedes from Pre-K as your kindergarten teacher instead of Ms. Everett?" Ms. Mercedes is non-Black and, I believe, of Latin descent. When Principal Diaz-Lens saw that I heard what he said, he did not apologize but instead rolled his eyes again at me.
34. The incident that occurred on January 5, 2022, showed that Principal Diaz-Lens deliberately wanted to make me look like an incompetent teacher as how he wanted one of my students to think of me in a negative manner as well.
35. Principal Diaz-Lens did not only demonstrate this disrespectful and racist behavior towards me, but also to another Black teacher, Ms. Halcyone Denny. Ms. Denny was a special education teacher for the kindergarten/first grade bridge class, where kindergarten and first grade special education students are in the same educational setting.
36. In addition to ignoring and disregarding Ms. Denny's presence in the school, Mr. Diaz-Lens also gave ineffective ratings for her formal observation done in January 2022 for a math lesson.
37. Prior to the 2021-2022 school year, Ms., Halcyone Denny received effective ratings under the supervision of Assistant Principal Christophe Lothian. Mr. Lothian is African American and before being an assistant principal he was an experienced math coach. AP Lothian left P.S. 63 to become a principal at another district 9 school.
38. Julie Stengel was the general education teacher for the kindergarten ICT classroom and the grade team leader for kindergarten. She worked at home giving online instruction during the 2020-2021 school year for full remote learning. She would return to in person instruction with the other remote teachers for the 2021-2022 school year. Ms. Stengel discriminated against Ms. Denny and myself, and influenced the other kindergarten teachers to not socialize with us.

39. On March 2, 2022 at 10 a.m. in the cafeteria for early lunch due to half a day dismissal for parent teacher conferences, Ms. Stengel excluded myself and Ms. Denny from talking to the other kindergarten teachers. During this time, Ms. Stengel stayed at the front of the cafeteria away from myself and Ms. Denny, and watched to make sure the other kindergarten teachers Ms. Seetaram and Ms. Scaramella stayed with her and not make any contact with Ms. Denny and me.
40. On March 2, 2022, I found out from another African American woman who served as a school aide for P.S. 63, that she faced racial discrimination treatment from Ms. Stengel, despite her students being all children of color. In the conversation, this school aide told me, "Ms. Stengel, she looks at me, as if I'm dirt on the bottom of her shoe, I bleed just like her, my blood is red just like hers." "She doesn't care about these kids, and what makes it worse, is she wouldn't want any other teacher treating her own kids that way, she needs to treat these kids, just like how she wants her own kids to be treated."
41. As a result of Ms. Stengel's discriminatory treatment towards Black women, Ms. Seetaram and Ms. Scaramella, the other kindergarten teachers, would wait until Ms. Stengel was not present to talk with Ms. Denny and I, and vice versa, Ms. Denny and I would also do this when Ms. Stengel was not around. This is because if one went against Ms. Stengel, she would immediately contact Principal Diaz-Lens, a risk we did not want to take considering both Ms. Denny and I were not tenured. This was a tactic that she used to get what she wanted and was a perfect example of how Mr. Diaz-Lens catered to non-Black women.
42. On March 9, 2022 at 8:05 a.m. Ms. Julian Brady, the universal literacy coach for kindergarten through second grade, was conducting a meeting with the kindergarten through second grade classes for the teachers to discuss their students' results from the testing program Acadience. During this time, Ms. Stengel ignored Ms. Denny and myself and instead spoke to the other kindergarten teachers Ms. Scaramella and Ms. Seetaram, completely acting as if we did not exist, despite us all being in the same grade team.
43. This disrespect continued from Ms. Stengel, when Ms. Denny and I tried to talk about our students' results. While discussing the Acadience data of our students, Ms. Stengel looked at her phone the entire time.
44. On March 9 and 10, 2022, Ms. Stengel would not only show disrespect towards myself and Ms. Denny but to the universal literacy Coach Ms. Julian Brady. Ms. Brady is also a Black woman. During this time, Ms. Brady describes to all of the kindergarten through second grade teachers the different things she notices for each of the grades, as she looks at the students' results from the Acadience assessment. As Ms. Brady talks to everyone about the Acadience Data, Ms. Stengel looks at her phone, ignores and does not acknowledge Ms. Brady, as she speaks.
45. However, Ms. Stengel does not give this type of negative treatment to Amy Cohen and would listen to her intently whenever she conducted meetings with the other teachers. Ms. Cohen is a white woman who served as the consultant for the literacy curriculum El Education.

46. For most of the school year, Ms. Stengel would also exclude myself and Ms. Denny from entering her classroom to join her and the other kindergarten teachers for lunch and during our prep times so we could plan together as a grade team, even going as far as closing her door when we passed by. This prevented a collaborative experience from happening and made both myself and Ms. Denny feel like outcasts.
47. On March 11, 2022 at 10:55 a.m., as we were planning for the kindergarten field trips, Ms. Stengel continued to show her racist behavior towards people of color. Ms. Stengel said "I hate my class, I hate those kids, I really hate those kids," the majority of whom are of color. When Ms. Stengel said this statement, Ms. Denny, the other kindergarten teachers and myself stayed quiet and just watched her.
48. Ms. Stengel continued her racial discriminatory behavior by disregarding the knowledge of Julian Brady, who I previously mentioned is Black. By making the following statement: "I don't understand why we have to use Brady to help us with guided reading and sight word centers" "she can't do anything for me." In addition to saying this statement, Ms. Stengel also refused to plan with Ms. Brady for literacy.
49. On June 8, 2022 at 1:30 p.m. I said hello to Principal Diaz-Lens in the auditorium but he just ignored me again, and turned around to talk to Ms. Scaramella and Ms. Seetaram, even though I was standing right next to them, completely disregarding my presence.
50. On June 10, 2022, Principal Diaz-Lens told me that he could not nominate me for tenure this year and that I was being discontinued due to low enrollment, and as a result he would have to close down my class.
51. However, when I spoke to my UFT chapter leader Ms. Tracie Abrigo, she informed me that Mr. Diaz-Lens told her I was excessed, when she asked him about our meeting.
52. Principal Diaz-Lens's statement to me on June 10th was false, because when a teacher's classroom is closed due to low enrollment, the teacher has to be excessed, as noted by my UFT chapter leader. Due to an agreement made by the New York City Department of Education created during the summer of 2021, teachers who were excessed would no longer be placed in ATR or the Absent Teacher Reserve program, where educators would work in different schools where they were needed. The new agreement would instead consist of excessed teachers staying in the district they currently work in, and be provided assistance with finding other teaching opportunities in the district by the Superintendent.
53. Principal Diaz-Lens further discriminated against me by declining to nominate me for tenure, after I received effective ratings for both years that I worked at the school. In addition, since the new agreement by the NYCDOE, shows that excessed teachers are supposed to remain in the district, I should not have been "discontinued."
54. On June 10, 2022, Principal Diaz-Lens also advised Ms. Denny that she was being "discontinued" and that "she was not the right fit for this school."

55. When Principal Diaz-Lens told Ms. Denny that she was not the right fit for the school, he really meant she was not the right color. This is because now that Ms. Denny and myself are gone, all the teachers in kindergarten for 2022-2023 are all White. In addition to this, the whole third floor which was the floor that Ms. Denny and my room were located, has no Black teachers on it.
56. Furthermore, Principal Diaz-Lens further showed his racial discrimination towards Black women because he kept Mr. Panas, and Mr. Rosenberg, two white special education teachers who have one year at P.S. 63, and have less seniority at the school than Ms. Denny, even though she is also a special education teacher, and has more years of seniority than they do.
57. On June 27, 2022, I received a discontinuance letter predated for July 8, 2022, from Harry Sherman the District 9 Superintendent. The letter stated that I was terminated from my kindergarten teacher position at P.S. 63. This is despite the fact that I received Effective ratings, for both the 2020-2021 and 2021-2022 school years.
58. The same day, Ms. Halcyone Denny also received a discontinuance letter from Harry Sherman, the District 9 Superintendent. The only probationary teacher to be granted tenure for the 2021-2022 school year was Michael Olivier, a White/Caucasian teacher.
59. The different incidences of racial discrimination that have been described perfectly show that this is a continued problem that permeates throughout the entire NYCDOE. First, I was excessed from P.S. 31, a district 7 school, where I previously worked as a first grade teacher, where both myself and Ms. Purvis, the kindergarten-second grade literacy coach, who is also Black were disrespected and disregarded because of the color of our skin. Then after being excessed from P.S. 31, I would continue to be disrespected and racially discriminated against along with other Black women during my second year at P.S 63, for the 2021-2022 school year.
60. This situation is made worse, because not only was I disregarded and demeaned by two white women, Assistant Principal Yesnick and Angela Liso, a first grade teacher when I was at P.S. 31, but I would also receive the same treatment from Principal Diaz-Lens and Ms. Stengel.
61. The mistreatment by AP Yesnick and Ms. Liso caused me to almost suffer a nervous breakdown in 2020.
62. Finally, the circumstances discussed in this addendum prove that the NYCDOE does not have respect nor give necessary support to Black women, but instead caters to White individuals, allowing them to have long lasting careers in the New York City public school system. This includes White/Caucasian women like Assistant Principal Yesnick, Angela Liso, and Julie Stengel, who will be teaching her former kindergarten students again in first grade ICT for the new school year. The same children of color that she said she hated.
63. I believe that the New York City Department of Education is retaliating against me due to me filing the federal complaint, as shown with the unjust termination received from

Superintendent Sherman, despite me getting effective ratings for the years I worked at the school specifically for the 2020-2021, and 2021-2022 school years. Based on the information described, I am asking for monetary damages and any other relief appropriate for this situation.

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **Stephanie Everett**  
**1113 East 215th Street**  
**Bronx, NY 10469**

From: **New York District Office**  
**33 Whitehall Street**  
**5th Floor**  
**New York, NY 10004**



*On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.

EEOC Representative

Telephone No.

16G-2021-00819

**Holly M. Shabazz,**  
**State & Local Program Manager**

(929) 506-5316

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: The EEOC will not proceed further with its investigation, and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

**Charging party wishes to pursue matter in Federal District Court.**

## - NOTICE OF SUIT RIGHTS -

*(See the additional information attached to this form.)*

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



July 28, 2021

Enclosures(s)

**Judy A. Keenan,**  
**District Director**

*(Date Issued)*

cc: **CITY OF NEW YORK, DEPARTMENT OF EDU**  
**Office of the General Counsel**  
**52 Chambers Street, Room 308**  
**New York, NY 10007**

**Glass Krakower, Esq.**  
**Glass Harlow & Hogrogian, LLP**

**New York State Division of Human Rights  
Employment Complaint Form**

Although workers, interns and volunteers of all ages are protected, you must be 18 years or older to file a complaint. A parent, guardian or other person having legal authority to act in the minor's interests must file on behalf of a person under the age of 18.

<b>1. Your contact information:</b>											
First Name <u>Stephanie</u>		Middle Initial/Name <u>N</u>									
Last Name <u>Everett</u>											
Street Address/ PO Box <u>1113 East 215th Street</u>		Apt or Floor #:									
City <u>Bronx</u>		State <u>NY</u>	Zip Code <u>10469</u>								
If you are filing on behalf of another, provide the name of that person:		Date of birth:	Relationship:								
<b>2. Regulated Areas: Check the area where the discrimination occurred:</b> (If you wish to file against multiple entities, for example employer and temp agency, please file a separate complaint against each.) <table style="width: 100%; margin-top: 10px;"> <tr> <td><input checked="" type="checkbox"/> Employment (including paid internship)</td> <td><input type="checkbox"/> by a Labor Organization</td> </tr> <tr> <td><input type="checkbox"/> Internship (unpaid)</td> <td><input type="checkbox"/> Apprentice Training</td> </tr> <tr> <td><input type="checkbox"/> Contract Work (independent contractor, or work for a contractor)</td> <td><input type="checkbox"/> by a Temp or Employment Agency</td> </tr> <tr> <td><input type="checkbox"/> Volunteer Position</td> <td><input type="checkbox"/> Licensing</td> </tr> </table>				<input checked="" type="checkbox"/> Employment (including paid internship)	<input type="checkbox"/> by a Labor Organization	<input type="checkbox"/> Internship (unpaid)	<input type="checkbox"/> Apprentice Training	<input type="checkbox"/> Contract Work (independent contractor, or work for a contractor)	<input type="checkbox"/> by a Temp or Employment Agency	<input type="checkbox"/> Volunteer Position	<input type="checkbox"/> Licensing
<input checked="" type="checkbox"/> Employment (including paid internship)	<input type="checkbox"/> by a Labor Organization										
<input type="checkbox"/> Internship (unpaid)	<input type="checkbox"/> Apprentice Training										
<input type="checkbox"/> Contract Work (independent contractor, or work for a contractor)	<input type="checkbox"/> by a Temp or Employment Agency										
<input type="checkbox"/> Volunteer Position	<input type="checkbox"/> Licensing										
<b>3. You are filing a complaint against:</b>											
Employer, Worksite, Agency or Union Name <u>NYC Department of Education-P.S./M.S. 31</u>											
Street Address/ PO Box <u>250 East 156th Street</u>											
City <u>Bronx</u>		State <u>NY</u>	Zip Code <u>10451</u>								
Telephone Number: <u>(718)-292-4397</u>											
In what county or borough did the violation take place? <u>Bronx</u>											
Individual people who discriminated against you:											
Name: <u>Katina Yesnick</u>		Title: <u>Assistant Principal</u>									
Name: <u>Angela Liso</u>		Title: <u>First Grade Teacher</u>									
If you need more space, please list them on a separate piece of paper.											
<b>4. Date of alleged discrimination (must be within one year of filing):</b>											
The most recent act of discrimination happened on: <u>6</u> <u>1</u> <u>2020</u> <div style="text-align: center;">month      day      year</div>											
<b>5. For employment and internships, how many employees does this company have?</b>											
<input type="checkbox"/> 1-14 <input type="checkbox"/> 15-19 <input checked="" type="checkbox"/> 20 or more <input type="checkbox"/> Don't know											

<b>6. Are you currently working for this company?</b>			
<input type="checkbox"/> Yes. Date of hire: _____ <div style="text-align: center;">month      day      year</div>			What is your position?
<input checked="" type="checkbox"/> No. Last day of work: 8      12      2020 <div style="text-align: center;">month      day      year</div>			What was your position? <b>First Grade Teacher</b>
<input type="checkbox"/> I was never hired. Date of application: _____ <div style="text-align: center;">month      day      year</div>			What position did you apply for?

  

<b>7. Basis of alleged discrimination:</b>	
Check <b>ONLY</b> the boxes that you believe were the reasons for discrimination, and fill in specifics only for those reasons. Please look at page 2 of "Instructions" for an explanation of each type of discrimination.	
<input type="checkbox"/> <b>Age:</b> Date of Birth: _____	<input type="checkbox"/> <b>Familial Status:</b>
<input type="checkbox"/> <b>Arrest Record</b>	<input type="checkbox"/> <b>Military Status:</b> <input type="checkbox"/> Active Duty <input type="checkbox"/> Reserves <input type="checkbox"/> Veteran
<input type="checkbox"/> <b>Conviction Record</b>	<input type="checkbox"/> <b>Marital Status</b> <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed
<input type="checkbox"/> <b>Creed/ Religion:</b> Please specify: _____	<input type="checkbox"/> <b>National Origin:</b> Please specify: _____
<input type="checkbox"/> <b>Disability:</b> Please specify: _____	<input type="checkbox"/> <b>Predisposing Genetic Characteristic:</b>
<input type="checkbox"/> <b>Domestic Violence Victim Status</b>	<input type="checkbox"/> <b>Pregnancy-Related Condition:</b> Please specify: _____
<input type="checkbox"/> <b>Gender Identity or Expression, Including the Status of Being Transgender</b>	<input type="checkbox"/> <b>Sexual Orientation:</b> Please specify: _____
<input checked="" type="checkbox"/> <b>Race/Color or Ethnicity:</b> Please specify: <u>African American</u> <input type="checkbox"/> Trait historically associated with race such as hair texture or hairstyle	<input type="checkbox"/> <b>Sex:</b> Please specify: _____ Specify if the discrimination involved: <input type="checkbox"/> Pregnancy <input type="checkbox"/> Sexual Harassment
<input type="checkbox"/> <b>Use of Guide Dog, Hearing Dog, or Service Dog</b>	
If you believe you were treated differently after you filed or helped someone file a discrimination complaint, participated as a witness to a discrimination complaint, or opposed or reported discrimination due to any category above, check below:	
<input type="checkbox"/> <b>Retaliation:</b> How did you oppose discrimination: _____	
If you believe you were discriminated against because of your relationship or association with a member or members of a protected category listed above, indicate the relevant category(ies) above, and check below.	
<input type="checkbox"/> <b>Relationship or association</b>	

8. Acts of alleged discrimination: <i>What did the person/company you are complaining against do? Check all that apply</i>			
<input type="checkbox"/> Refused to hire me	<input checked="" type="checkbox"/> Gave me a disciplinary notice or negative performance review	<input type="checkbox"/> Denied my request for an accommodation for my disability, or pregnancy-related condition	<input type="checkbox"/> Sexual harassment
<input type="checkbox"/> Fired me/laid me off	<input type="checkbox"/> Suspended me	<input type="checkbox"/> Denied me an accommodation for domestic violence	<input checked="" type="checkbox"/> Harassed or intimidated me on any basis indicated above
<input type="checkbox"/> Demoted me	<input type="checkbox"/> Did not call back after lay-off	<input type="checkbox"/> Denied me an accommodation for my religious practices	<input type="checkbox"/> Denied services or treated differently by a temp or employment agency
<input type="checkbox"/> Denied me promotion/ pay raise	<input type="checkbox"/> Paid me a lower salary than other co-workers doing the same job	<input type="checkbox"/> Denied me leave time or other benefits	<input type="checkbox"/> Denied a license by a licensing agency
<input type="checkbox"/> Denied me training	<input type="checkbox"/> Gave me different or worse job duties than other workers doing the same job	<input type="checkbox"/> Discriminatory advertisement or inquiry or job application	<input type="checkbox"/> Other:

## 9. Description of alleged discrimination

***Tell us more about each act of discrimination that you experienced. Please include dates, names of people involved, and explain why you think it was discriminatory. TYPE OR PRINT CLEARLY.***

Please look at the attached documents.

***If you need more space to write, please continue writing on a separate sheet of paper and attach it to the complaint form. DO NOT WRITE IN THE MARGINS OR ON THE BACK OF THIS FORM.***

Stephanie Everett

### Notarization of Complaint

Based on the information contained in this form, I charge the herein named respondent(s) with an unlawful discriminatory practice, in violation of the New York State Human Rights Law.

By filing this complaint, I understand that I am also filing my employment complaint with the United States Equal Employment Opportunity Commission under the Americans With Disabilities Act (covers disability related to employment), Title VII of the Civil Rights Act of 1964, as amended (covers race, color, religion, national origin, sex relating to employment), and/or the Age Discrimination in Employment Act, as amended (covers ages 40 years of age or older in employment). This complaint will protect my rights under federal law.

I hereby authorize the New York State Division of Human Rights to accept this complaint on behalf of the U.S. Equal Employment Opportunity Commission, subject to the statutory limitations contained in the aforementioned law.

I have not filed any other civil action, nor do I have an action pending before any administrative agency, under any state or local law, based upon this same unlawful discriminatory practice. (If you have another action pending and still wish to file, please contact our office to discuss.)

PLEASE INITIAL S.E.

I swear under penalty of perjury that I am the complainant herein; that I have read (or have had read to me) the foregoing complaint and know the contents of this complaint; and that the foregoing is true and correct, based on my current knowledge, information, and belief.

Stephanie Everett

Sign your full legal name

Subscribed and sworn before me

This 6th day of January, 2021

Rachel Badal  
Signature of Notary Public

County: \_\_\_\_\_ Commission expires: \_\_\_\_\_

RACHEL BADAL  
Notary Public, State of New York  
No. 018A6087097

Qualified in Kings County  
Commission Expires Feb. 10, 2023

**Please note: Once this form is completed, notarized, and returned to the New York State Division of Human Rights, it becomes a legal document and an official complaint with the Division.**

**Additional Information, Page 1: This page is for the Division's records and will not be sent to the company or person(s) whom you are filing against.**

**1. Contact information**

**My primary telephone number:** (347)-803-0903

**My secondary telephone number:** (718)-655-4471

**My date of birth:** 11/03/1985

**(Required) My email address:** stef850@gmail.com

*The Division uses email, whenever possible, to communicate with the parties to complaints. This avoids delays and lost mail, and increases the efficiency of Division case processing. Therefore, you are required to provide an email address, if you have one, and to keep us advised of any change of your email address. The Division will not use your email address for any non-case related matters.*

Contact person (Someone who does not live with you but will know how to contact you if we cannot reach you)

**Contact person's name:** Alice Tucker

**Contact person's telephone number:** (347)-920-0725

**Contact person's address:** 1123 East 215th Street, Bronx, NY 10469

**Contact person's email address:** Does not use her email, phone number is a better and faster way of contact.

**Contact person's relationship to me:** Cousin

**2. Special needs: I am in need of:**

- ☐ Interpretation (if so what language?): \_\_\_\_\_
- ☐ Accommodations for a disability: \_\_\_\_\_
- ☐ Privacy. Keep my contact information confidential as I am a victim of domestic violence
- ☐ Other: none \_\_\_\_\_

**3. Settlement / Conciliation: To settle this complaint, I would accept:**

*(Explain what you want to happen as a result of this complaint. Do you want a letter of apology, job offer, return to the job, an end to the harassment, compensation, etc.?)*

Removal of both negative observations from the Advance NYCDOE website and my file, removal of disciplinary letter and rebuttal letter from my file, and any other solution appropriate for this situation.

**4. Witnesses (information about witnesses may be shared with the parties as necessary for the investigation)** The following people saw or heard the discrimination and can act as witnesses:

Name: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
What did this person witness?

Title: \_\_\_\_\_  
Relationship to me: \_\_\_\_\_

Name: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
What did this person witness?

Title: \_\_\_\_\_  
Relationship to me: \_\_\_\_\_

**Additional Information, Page Two**

**5. Did you report or complain about the discrimination to someone else?** ☐ Yes ☐ No

**If yes, how exactly did you complain about the discrimination? (To whom did you complain?)**

**Date you reported or complained about discrimination:**

            
month

        
day

        
year

**What happened after you complained?**

**If you did not report the discrimination, please explain why:**

**6. Were other people treated the same as you? How?**

*(For example, people who were harassed by the same manager, disciplined or terminated for the same reasons, did not receive an accommodation for the same reasons, etc.).*

*If you are complaining about discrimination relating to race, national origin, age, religion, etc. please describe their races, national origins, religions, etc.*

**7. Were other people treated better than you? How?**

*(For example, people who were not fired for doing the same thing you were fired for, people who were doing the same job but making more money, etc.).*

*If you are complaining about discrimination relating to race, national origin, age, religion, etc. please describe their races, national origins, religions, etc.*

**Addendum to SDHR complaint/ Description of alleged discrimination for Stephanie Everett  
for 12/28/20**

- 1.) I have been teaching as an elementary school teacher for the New York City Department of Education (NYCDOE) since September 2017. I am of black race.
- 2.) I was a teacher for PS/MS 31, a District 7 school in the Bronx, NY, from September 2017 to late August 2020, when I was excessed from the school. I presently teach at PS 63 in the Bronx, NY, since I was excessed from PS/MS 31.
- 3.) Katina Yesnick is the assistant principal (AP) of the elementary school for PS/MS 31. She is white/Caucasian.
- 4.) During the time I was a teacher at PS/MS 31, I received effective as an overall rating as shown with the Advance Reports and I am also a two-time recipient of the Teachers of Tomorrow award for both the 2017-2018 and 2018-2019 school years.
- 5.) However, during the 2019-2020 school year I received negative ratings for my observation reports from AP Yesnick, including ineffective as some of my scores, even though I have never received an ineffective as a rating during the previous years I worked at the school.
- 6.) I believe that I am being retaliated against by AP Yesnick in the form of a negative observation rating and an unjustified disciplinary letter in my file (falsely stating I was not present at a professional development session), because of my race and her close relationship with Angela Liso, a white first grade teacher at the school. Principal Yesnick and Angela Liso are both Caucasian, and I am black of Caribbean descent. The following statements prove this statement.
- 7.) On Wednesday, March 13, 2019 at 8:05 a.m. at a math workshop held at P.S. 179 a school in the Bronx, AP Yesnick and Ms. Liso walked into the P.S. 179 library where the workshop was being held. By this time, I was already at the workshop. During this time, AP Yesnick and Ms. Liso both sat next to each other, completely ignoring my presence as they talked to each other for 30 minutes. It was not until they heard from a staff member at P.S. 179 that the Superintendent would be visiting the workshop, that they decided to talk to me, which ended up being 5 minutes after the Superintendent arrived. The District 7 superintendent is Rafael Alvarez. This was not the only incident of disrespect towards women of color that Angela Liso and AP Yesnick exhibited on March 13, 2019. They both exhibited this trait after the workshop ended, when they falsely claimed that "Ms. Purvis is useless and doesn't know what she is doing," to Ms. Jennifer Kneeland, a former teacher who used to work with them at P.S. 31 and now works as a literacy coach for P.S. 179. Ms. Purvis is a black woman, and the elementary school literacy coach for P.S. 31, and has worked in the New York City Department of Education for over twenty years. In

addition to both insulting Ms. Purvis, Ms. Liso and Ms. Yesnick told Ms. Kneeland that they wanted her to be their school's literacy coach, and would try to get her in for this position. Ms. Jennifer Kneeland is also Caucasian descent like Ms. Liso and Ms. Yesnick.

- 8.) On December 3, 2019, I met with AP Yesnick to discuss my first informal observation, which she conducted on November 22, 2019. At this December 3rd meeting, AP Yesnick told me, "maybe teaching is not for you, and you're lucky you have someone, poor Ms. Liso has no one, she feels so overwhelmed, she had the high class last year, but this year Ms. Liso has the Ell's (English language learners)." This was said to me despite the fact that myself and Ms. Amy Alfortish were working in an ICT classroom, where many of the children have severe behavioral and violent issues. At this time, there was no special education teacher. For an ICT classroom, it is a mandated requirement to have a special education teacher. Ms. Alfortish who is an ATR, works in schools where she is needed, and was only going to be there until the end of January 2020. This means that I would be by myself without a second teacher in the classroom, who was also certified in special education. This is illegal.
- 9.) In addition, AP Yesnick claimed that Ms. Liso felt overwhelmed; however, per Ms. Liso's request had English language learners removed from her classroom and placed into another class. The Spanish speaking children who are all students of color and Latin and Caribbean descent were BF, DA, and LCR. The removal of these children further proves the lack of respect Ms. Liso and AP Yesnick have towards people of color. This is because not only were children of color and of Latin and Caribbean descent, compared to children with severe and violent behavioral needs, but they were also discarded and placed in another classroom without no real reason, other than the fact that Ms. Liso did not like working with these kinds of children.
- 10.) During the December 3<sup>rd</sup> meeting, AP Yesnick not only disregarded my contributions as a general education teacher for an ICT classroom and an educator as a whole, but also falsely stated that a teacher candidate, who interviewed to fill for the special education teacher position for my classroom, did not have the right qualifications. This is despite the fact, that this teacher managed the class and executed the lesson efficiently, when she came to the school on November 26, 2019 two days before the Thanksgiving holiday. The teacher candidate was a Latin woman of Caribbean descent. AP Yesnick instead decided to wait until January 31, 2020 two months after, to have another special education teacher from another classroom in the school, work with me in the ICT setting. The special education teacher is Sara Hanauer. She is of Orthodox Jewish descent, and a friend of Ms. Liso. Ms. Hanauer showed me absolutely no respect when she entered the classroom I was working in, told me statements such as "since I am here this is the best read aloud lesson these kids have ever had," and without my permission put a behavior checklist I had in the garbage. The checklist was for the children with severe

behavioral and violent issues. Whenever there was an issue with a student, I was never involved in the discussion. AP Yesnick would only talk to Sara Hanauer and vice versa. I would not be aware of the situation until after it was already discussed between AP Yesnick and Ms. Hanauer. Finally, AP Yesnick had Ms. Hanauer working with these children, even though she was someone who did not encourage the students, especially some of the children who were great readers, to reach their full potential, and instead gave higher level readers that were in the first grade classroom, the same material to practice as the lower level readers. The materials were pre-kindergarten and kindergarten sight word activities, and the children are all students of color. This would have been prevented if the teacher candidate from the November 26<sup>th</sup> interview would have been hired, since she was more than qualified for this position, and being a woman of color herself genuinely showed that she cared about the children and working with me as a fellow colleague. Lastly, Ms. Hanauer also disrespected Ms. Purvis, who I previously stated is African American, by walking out of the classroom, when Ms. Purvis was modeling a literacy lesson for us, so we could continue to grow in our teaching practices.

- 11.) Several days after the December 3, 2019 meeting, I received a copy of my observation including scores of ineffective in certain categories, even though I have never received scores of ineffective in the previous two years I have worked at the school. AP Yesnick not only made me look like an incompetent teacher, but gave me a score that went completely against the lesson I taught. In addition, she compared me unfavorably to Ms. Liso, a Caucasian teacher who should have never been mentioned in this discussion.
- 12.) On Friday, December 20, 2019, I received an unjustified disciplinary letter from AP Yesnick, which falsely accused me of not going to a CTLE professional development session on December 9, 2019, and that instead I decided to stay in my classroom to talk to my union representative. According to the December 9<sup>th</sup> CTLE agenda, which I received via email on December 2, 2019, the meeting was supposed to be held in room 118, my room. If I was told that the CTLE session would no longer be held in my room, I would have attended, like I have always done in previous sessions. CTLE is where professional development workshops are held for teachers. AP Yesnick designated which rooms these sessions will be held. For this day, according to the agenda, CTLE was going to involve planning instead. AP Yesnick at no point in time told me about the room change, and waited until almost the session was over, to inform me that the session was being held in a different location.
- 13.) AP Yesnick gave me the December 20, 2019 disciplinary letter on the same day I refused a Christmas gift from Ms. Liso, because of a snapchat incident and other situations of disrespect, and where Ms. Liso reacted by cursing and insulting me. This is perfectly shown with Angela Liso not being mentioned in the disciplinary letter, even though she

was one of the first grade teachers. In addition, when one compares the date of the disciplinary letter, with the day of the statement I made against Ms. Liso, where I describe the volatile exchange between Ms. Liso and myself, both dates match. Lastly, the fact that the CTLE agenda, for the December 9<sup>th</sup> incident described in the false disciplinary letter, clearly indicates that the CTLE session was supposed to be held in my classroom, means that I did nothing wrong, further proving that the real reason I was given this letter was because I refused to accept Angela Liso's gift.

- 14.) On Monday, January 27, 2020 at 2:40 p.m., I met with AP Yesnick to discuss my second informal observation, which she conducted January 9, 2020. During this meeting, I informed AP Yesnick that I have been continuing to plan after school to grow in my teaching. This is where she pretended to not know who I planned with and began to show a confused look, asking "who did you plan with?" This is despite the fact that she saw Ms. Purvis and I planning together a few days prior, in Ms. Purvis's office. Ms. Purvis is the literacy coach for the school and someone I have been planning literacy lessons with since I first taught at P.S./M.S. 31. Ms. Purvis is also black for whom both Angela Liso and Katina Yesnick do not show respect.
- 15.) On March 19, 2020, AP Yesnick ignored and disrespected me, when I went to the main office to obtain a schedule for online remote learning due to the coronavirus pandemic. During this time, I consistently asked her for the schedule, to which she continued to look at her cell phone, despite her hearing me ask her for the schedule three times. I decided to ask one of the elementary teachers who had finished a phone call with a parent, and ask her if she saw the schedule. When I asked one of the other teachers, this is when AP Yesnick asked the teacher for the schedule, and stood far away from me as she looked downward and annoyed as she gave me the paper. If I did not ask one of the elementary teachers, AP Yesnick would have never given me the schedule, she would have continued to look at her cell phone and not acknowledge my presence, even though I was asking for an important item, since without this online schedule I would not be able to plan my instruction layout for remote learning, so I could give it to the parents of my students.
- 16.) At a schoolwide videoconference staff meeting held on June 1, 2020, I learned that AP Yesnick had deliberately excluded me from a grade-based meeting in late May 2020, and discussed the thematic unit "using your imagination", with the other first grade teachers, including mentioning Ms. Liso's name during the June 1<sup>st</sup> staff meeting, even though it was a project that the entire first grade had participated in. I should have been notified of the meeting, especially since I am part of the first-grade team. I was also excluded from another meeting that happened on December 9, 2019, which I explained previously above.

- 17.) During the June 1, 2020 meeting, AP Yesnick also failed to acknowledge my presence at an important school literacy event called “sip and chat”, and instead falsely stated that Madeline Bodnar, the special education teacher for a second grade classroom, did a great job planning the event. This was despite the fact that Madeline Bodnar, who is Caucasian and a friend of AP Yesnick, and Ms. Liso was originally not going to attend, and did not prepare for the event. All of the preparations and planning for the sip and chat session were done by the school literacy coach Ms. Purvis, who is a black woman. AP Yesnick did not mention me at any point in time during the June 1<sup>st</sup> meeting that I was there to support the school’s literacy coach, even though she not only saw me there at the event, but also saw my name on the sip and chat flyer. The sip and chat event was held on May 26, 2020. By not mentioning me, AP Yesnick once again showed her lack of respect towards women of color not only to myself but to Ms. Purvis. In addition, Madeline Bodnar who was previously mentioned as being a Caucasian teacher, had no problem taking full credit for work that was done by an African American colleague, even though she was fully aware that she did not do any work pertaining to the sip and chat event. Unfortunately, Ms. Bodnar is another employee at the school, who has also previously disregarded the expertise of Ms. Purvis.
- 18.) Based on the information above, I believe I was racially discriminated against at my prior school. As a remedy, I am requesting removal of the poorly rated observations dated November 22, 2019 and January 9, 2020 from both my personnel file and the Advance NYCDOE website, as well as the removal of the unjustified disciplinary letter and the rebuttal letter from my file, and any other relief appropriate for this situation.